

ISRAELI SETTLEMENTS ON PALESTINIAN LAND

Israel currently has 163 Jewish-only settlements and 98 "outposts" built on confiscated Palestinian land.

Palestinians do not have any settlements on Israeli land.

Source: According to [Americans for Peace Now's](#) "Facts on the Ground" Map Project, there are 163 official Israeli settlements and 98 informal outposts on Palestinian land, including 24 neighborhoods in East Jerusalem *de facto* annexed to Israel (a total of **261** settlements). APN's interactive settlement map shows the name, location, and population for each settlement and outpost on Palestinian territory, all of which are considered illegal under international law.

“Land Grab: Israel’s Settlement Policy in the West Bank”

Published in May 2002.

[B'Tselem](#), the Israeli Information Center for Human Rights in the Occupied Territories, endeavors to document and educate the Israeli public and policymakers about human rights violations in the Occupied Territories, combat the phenomenon of denial prevalent among the Israeli public, and help create a human rights culture in Israel.

Historical Background

Since 1967, each Israeli government has invested significant resources in establishing and expanding settlements in the Occupied Territories. As a result of this policy, approximately 500,000 Israeli citizens now live on the settlements on the West Bank, including those established in East Jerusalem.

The [peace] process between Israel and the Palestinians did not impede settlement activities, which continued under the Labor government of Yitzhak Rabin (1992-1996) and all subsequent governments. These governments built thousands of new housing units, claiming that this was necessary to meet the "natural growth" of the existing population. As a result, between 1993 and 2000 the number of settlers on the West Bank (excluding East Jerusalem) increased by almost 100 percent.

International Law

International humanitarian law prohibits [an] occupying power [from transferring] citizens from its own territory to the occupied territory (Fourth Geneva Convention, article 49). The Hague Regulations prohibit the occupying power [from undertaking] permanent changes in the occupied area, unless these are due to military needs in the narrow sense of the term, or unless they are undertaken for the benefit of the local population.

The establishment of the settlements leads to the violation of the rights of the Palestinians as enshrined in international human rights law. Among other violations, the settlements infringe on the rights to self-determination, equality, property, an adequate standard of living, and freedom of movement.

Taking Control of the Land

Israel has used a complex legal and bureaucratic mechanism to take control of more than fifty percent of the land in the West Bank. This land has been used mainly to establish settlements and create reserves of land for the future expansion of the settlements.

Israel uses the seized lands to benefit the settlements, while prohibiting the Palestinian public from using them in any way. This use is forbidden and illegal in itself. As the occupier in the Occupied Territories, Israel is not permitted to ignore the needs of an entire population and to use land intended for public needs solely to benefit the settlers.

The Policy of Annexation and Local Government

The Israeli administration has applied most aspects of Israeli law to the settlers and the settlements, thus effectively annexing them to the State of Israel... This annexation has resulted in a regime of legalized separation and discrimination. This regime is based on the existence of two separate legal systems in the same territory, with the rights of individuals being determined by their nationality.

The areas of jurisdiction of the Jewish local authorities, most of which extend far beyond the built-up area, are defined as "closed military zones" in the military orders. Palestinians are forbidden to enter these areas without authorization from the Israeli military commander. Israeli citizens, Jews from throughout the

world and tourists are all permitted to enter these areas without the need for special permits.

Encouragement of Migration to Settlements

The Israeli governments have implemented a consistent and systematic policy intended to encourage Jewish citizens to migrate to the West Bank...settlers and other Israeli citizens working or investing in the settlements are entitled to significant financial benefits.

The Planning System

The planning system on the West Bank, implemented by the Civil Administration, is one of the most powerful mechanisms of the Israeli occupation. As with the other bureaucratic systems, the planning system operates on two distinct tracks: one for Jews and the other for Palestinians.

This system is responsible for transforming the map of the West Bank because it is the planning system that approves the outline plans for the settlements and issues building permits for the establishment and expansion of settlements and for the construction of by-pass roads. Israel changed the composition of the planning institutions on the West Bank and transferred numerous planning powers to the Jewish local authorities, while expropriating these powers from Palestinian planning institutions.

While facilitating Jewish settlement, the planning system works vigorously to restrict the development of Palestinian communities. The main tool used to this end is to reject requests for building permits filed by Palestinians. In most cases, the requests are rejected on the grounds that the regional outline plans – approved in the 1940s during the British Mandate – prohibit construction in the relevant area of land. These plans do not reflect the development needs of the Palestinian population, and the planning system deliberately refrains from preparing revised plans. Houses built by Palestinians without building permits are demolished by the Civil Administration, even in cases when the construction took place on private land.

Conclusions

Israel has created in the Occupied Territories a regime of separation based on discrimination, applying two separate systems of law in the same area and basing the rights of individuals on their nationality. This regime is the only one of its kind in the world, and is reminiscent of distasteful regimes from the past, such as the Apartheid regime in South Africa.

Under this regime, Israel has stolen hundreds of thousands of dunam of land from the Palestinians. Israel has used this land to establish dozens of settlements in the West Bank and to populate them with hundreds of thousands of Israeli citizens. Israel prohibits the Palestinians as a group from entering and using these lands, and uses the settlements to justify numerous violations of the Palestinians' human rights, such as the right to housing, to earn a livelihood, and the right to freedom of movement. The drastic change that Israel has made in the map of the West Bank prevents any real possibility for the establishment of an independent, viable Palestinian state as part of the Palestinians' right to self-determination.

The settlers, on the contrary, benefit from all the rights available to Israeli citizens living within the Green Line [Israel proper], and in some cases are even granted additional rights. The great effort that Israel has invested in the settlement enterprise – in financial, legal and bureaucratic terms – has turned the

settlements into civilian enclaves in an area under military rule, with the settlers being given priority status. To perpetuate this situation, which is a priori illegal, Israel has continuously breached the rights of the Palestinians.

Particularly evident is Israel's manipulative use of legal tools in order to give the settlement enterprise an impression of legality. In so doing, Israel trampled on numerous restrictions and prohibitions established in the international conventions to which it is party, and which were intended to limit infringement of human rights and to protect populations under occupation.

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